REMARKS

Amendments have been made to the specification to replace the original Sequence Listing from the related PCT application with an amended Sequence Listing wherein the general information (i.e., inventors, priority data, and attorney docket number) has been amended to reflect the information for the instant application.

Amendments to the claims remove multiple dependency while conserving the claimed subject matter. No new matter has been introduced. Claims 1-21 are now pending. Applicants submit that all of the claims are now in condition for examination, which action is requested.

Attached is a marked-up version of the changes being made by the current amendment.

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 8-31-01

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Version with markings to show changes made

In the claims:

Claims 3-7, 9-12, 14, 15, and 20 have been amended as follows:

3. (Amended) Vector according to claim 1 [or claim 2] wherein the whole LTR region, the U3 region, or the R and U3 regions are derived from a human endogenous retroviral nucleotide sequence.

4. (Amended) Vector according to [one or more of the preceding claims] claim 1 wherein said nucleotide sequences encoding one or more proteins or elements of therapeutic and cytokin peptides are selected from one or more the group consisting of marker genes, therapeutic genes, antiviral genes, anti-tumor genes, and cytokin genes.

5. (Amended) Vector according to [one or more of the preceding claims] claim 1 wherein said cell-specifically controllable promoter region is derived from the LTR region of a cell-specifically expressed endogenous human retroviral nucleotide sequence.

6. (Amended) Vector according to [one or more of the preceding claims] claim 1 wherein said human endogenous retroviral cell-specifically controllable promoter sequences are selected from one or more promoter sequences of HERV families of the group consisting of HERV-K, HERV-H, HERV-E, HERV-L, HERV-T, HERV-R, HERV-I, HERV-P, ERV9, HERV-W.

7. (Amended) Vector according to [one or more of the preceding claims] claim 1 wherein said promoter region besides the TATA box additionally comprises recognition and binding sites for regulatory proteins.

9. (Amended) Vector according to [one or more of the preceding claims] claim 1 wherein said vector is a promoter conversion vector comprising a 5' LTR portion having the

structure U3-R-U5, one or more sequences selected from coding and non-coding sequences, and a 3' LTR portion comprising a U3 region which is partially or completely deleted wherein the deleted U3 portion is replaced by a cell-specifically controllable promoter region from a HERV LTR sequence, followed by the R-U5 region.

10. (Amended) The mRNA or RNA of a retroviral expression vector according to [one or more of the preceding claims] claim 1.

11. (Amended) Prokaryotic cell or eukaryotic cell containing a retroviral expression vector according to [one or more of the preceding claims] claim 1.

12. (Amended) Eukaryotic cell containing a retroviral expression vector according to [one or more of the preceding claims] claim 1 in an integrated form.

14. (Amended) Use of an expression vector according to [one or more of the preceding claims] claim 1 for the expression of foreign genes in gene therapy.

15. (Amended) Virion containing a retroviral expression vector RNA obtained by transcription of an expression vector DNA according to [one or more of the preceding claims] claim 1.

20. (Amended) Retroviral vector system comprising a retroviral expression vector according to [one or more of the preceding claims] claim 1 and a packaging cell line comprising at least one retroviral or recombinant retroviral construct encoding for the packaging proteins of the retroviral expression vector.